

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
DECEMBER 7, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Pro Tem Anthony W. Cobos present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Presi Ortega, Jr., and Paul J. Escobar. Late Arrivals: Vivian Rojas arrived at 9:10 a.m. and Mayor Wardy arrived at 9:44 a.m. and subsequently presided over the meeting. Absent: None. Meeting was called to order at 9:08 a.m. and the invocation was given by Fire Chaplain Ed Sinke, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. **OPERATION SANTA CLAUS DAY**
2. **BOYS & GIRLS CLUBS OF EL PASO 75TH ANNIVERSARY**
3. **SENIOR ALL STAR FOOTBALL CLASSIC WEEK**

Representative Cook noted that today, December 7th, was the 63rd anniversary of the attack on Pearl Harbor. A moment of silence was observed.

NO ACTION WAS TAKEN on the presentation on displaced workers and neighborhood associations.
[Esther Perez]

Ms. Esther Perez, citizen, read from a prepared statement regarding displaced workers and neighborhood associations. She suggested that Neighborhood Association groups be provided training in "Roberts Rules of Order" and conflict resolution.

NO ACTION WAS TAKEN on the following item: What is our library without A dictionary of angels, including the fallen angels. by Gustav Davidson, a main library reference work, Call No. 235303D581d, that is recently missing. [Jorge Artalejo]

Mr. Jorge Artalejo, citizen, commented on the missing reference book and added that library books containing religious subject matter have been damaged due to individuals marking in and/or removing pages.

Ms. Carol Brey-Casiano, Director of Libraries, explained that the reference work at the main library would be replaced and noted that the same reference work could be found at other City library locations.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA** unless otherwise noted.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** the **MINUTES** for the Regular City Council Meeting of November 30, 2004.

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **POSTPONE ONE (1) WEEK** a Resolution that the section of the Citizen Participation Plan for the Consolidated Plan that relates to conflicts of interest regarding Community Development (CD) Steering Committee members, be revised to address potential conflict of interest issues that may arise due to expanded membership criteria recommended by the Mayor's Blue Ribbon Ad Hoc Committee on June 15, 2004, and adopted by City Council on July 13, 2004; specifically addressing the membership criteria that allows City recognized neighborhood association members to serve on the CD Steering Committee.

Representative Escobar was not present for the vote.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Contract of Services between the City of El Paso and Project ARRIBA Advanced Retraining and Redev, Inc. ("Grantee"), a 501 (c) 3, a tax exempt, non-profit Texas corporation. Pursuant to the Contract, Grantee shall provide training and case management services to eligible clients who require occupational skills. The Contract shall continue in effect until August 31, 2005; the cost to the City will not exceed \$75,000.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an intergovernmental agreement between the Texas Commission on Environmental Quality (TCEQ), **Contract No. 582-5-55897** and related documentation, on behalf of the El Paso City-County Health and Environmental District (EPCCHED), for the operation and maintenance of ten (10) TCEQ whole air samplers in the El Paso Area during the period of January 1, 2005 to December 31, 2005. TCEQ is to provide not more than THREE HUNDRED EIGHTY FOUR THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$384,400.00). There is no cost to EPCCHED.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

Representative Escobar was not present for the vote.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **KIMLEY-HORN AND ASSOCIATES, INC.**, for a project known as **“Airway Feasibility Study”**, in an amount not to exceed **FOUR HUNDRED TEN THOUSAND and NO/100 DOLLARS (\$410,000.00)**.

Mayor Joe Wardy and Representative Lozano commented.

Ms. Irene Ramirez, Assistant City Engineer, gave the particulars.

Mr. Wayne Grinnell, Kimley-Horn and Associates, Inc. representative, commented.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to **APPROVE** the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Agreement between the CITY OF EL PASO and EP PARK HILLS II, LTD. for the landscaping and maintenance of the street medians in the Park Hills V Subdivision, El Paso, El Paso County, Texas.

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **MOVE TO THE FOREFRONT OF THE REGULAR AGENDA** the following:

Representative Escobar was not present for the vote.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks from December 15, 2004, until December 31, 2004.

Ms. Joyce Wilson, City Manager, commented.

Dr. Norman Merrifield, Director of Parks and Recreation, gave the particulars.

Mayor Joe Wardy and Representatives Ortega, Cushing, Cook, Austin, Escobar, and Lozano commented.

Mr. Eddie Sanchez, representing Border TM Industries, Inc. and ARC (Association of Retarded Citizens) of Texas in El Paso, commented.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to **APPROVE** the above Resolution.

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **MOVE TO THE FOREFRONT OF THE REGULAR AGENDA** the following:

Representative Escobar was not present for the vote.

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for restroom maintenance services from December 15, 2004, until December 31, 2004.

See page three for discussion on the amendment to provide for the extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to **APPROVE** the above Resolution.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **MOVE TO THE FOREFRONT OF THE REGULAR AGENDA** the following:

Representative Escobar was not present for the vote.

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services from December 15, 2004, until December 31, 2004.

See page three for discussion on the amendment to provide for the extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to **APPROVE** the above Resolution.

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Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **MOVE TO THE FOREFRONT OF THE REGULAR AGENDA** the following:

Representative Escobar was not present for the vote.

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services (additional day/weekends) from December 15, 2004, until December 31, 2004.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a City Parks Restrooms Maintenance Contract among the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for maintenance services at restrooms for the City's Parks and Recreations Department.

See page three for discussion on the amendment to provide for the extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks.

Motion made by Representative Cushing, seconded by Representative Austin and unanimously carried to **APPROVE** the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **WRIGHT & DALBIN ARCHITECTS, INC.**, for a project known as **"Rose Garden Park"**, in the amount not to exceed **NINE THOUSAND NINE HUNDRED AND FIFTY FIVE AND NO/100 DOLLARS (\$9,955.00)**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a First Amended Donation Agreement between the City of El Paso and Parents Association for Recreation for Kids Inc. (P.A.R.K.), regarding the donation of a specially designed "playground" at White Spur Park; to add provisions for installing lighting at the playground and for the payment of District Number 1 discretionary funds in the amount of \$1,000.00 to P.A.R.K.

Ms. Elaine Hengen, Assistant City Attorney, read into the record the revision to the Agreement.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and Sandie Sparks on behalf of her neighborhood watch group to provide funding from available District No. 6 discretionary funds in the amount of \$88.00 for the purchase of four neighborhood watch signs.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these Solid Waste Management liens for:

| | <u>Lien</u> | <u>Interest</u> | <u>Total Paid</u> |
|--|-------------|-----------------|-------------------|
| 5300 Hondo Pass/9100 Alps and 9100 Hollings | \$831.23 | \$859.01 | \$1,690.24 |
| 5300 Hondo Pass Drive | \$479.55 | \$268.44 | \$ 747.99 |
| 9100 Block of Alps Drive | \$705.79 | \$ 77.52 | \$ 783.31 |

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this Solid Waste Management lien for:

| | <u>Lien</u> | <u>Interest</u> | <u>Total Paid</u> |
|---------------------|-------------|-----------------|-------------------|
| 9498 Montwood Drive | \$193.77 | \$28.38 | \$222.15 |

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** the request to fill the following position on a **TEMPORARY BASIS** in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Library Information Specialist II (1)

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **RE-APPOINT** Olga E. Holguin to the Parks & Recreation Advisory Board by Representative Presi Ortega, Jr., District 5.

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** installation, power, and maintenance of **RESIDENTIAL STREET LIGHT(S)** at the following location:

| | |
|----------------------------------|---------|
| Between 7317 and 7321 Royal Arms | \$1,200 |
|----------------------------------|---------|

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **POSTPONE TWO (2) WEEKS** the installation of one street hump between 7352 and 7356 Dale Road, and a second street hump between 7352 and 7356 Franklin at an estimated total cost of \$5000 to be provided by District 3 Discretionary Funds. Dept ID# 01010003, Acct# 504420, Fund# 0110.

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried that the following installment agreements for **AD VALOREM taxes** be **APPROVED** in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #G547-000-0010-0900, \$195.41 per month installments on a balance of \$2,344.92 for 2001, 2002 & 2003 taxes; Juan & Socorro Puentes – 12721 Mi Acre.
- B. PID #B202-999-0200-8801, \$199.34 per month installments on a balance of \$2,392.08 for 2003 Taxes; Rosa M. Weiser – 17 Eucalyptus.
- C. PID #M794-999-0480-0100, \$196.78 per month installments on a balance of \$7,084.08 for 2003 taxes; Rosa M. Weiser – 3429 Harrison.

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** the request that the Director of Purchasing be authorized to **ISSUE PURCHASE ORDER(S)** to Motorola, Inc., as the need arises. Motorola Inc., is the sole manufacturer of Mobile/Portable Radios/Digital Pagers and other Motorola products (Data Computers/Radio Modems/Dispatch Consoles etc), that can provide factory warranties for these products, and that can provide factory level maintenance. The City of El Paso has existing service contracts with Motorola for these products. These maintenance services would be included in the purchase of this equipment. These products are critical to the operation of the City's Public Safety Trunked Radio Communications System. Allows for special State & Local Government pricing and discounts for purchases and maintenance programs. This is a sole source procurement as defined under Section 252.022 of the Local Government Code.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

Representative Escobar was not present for the vote.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **AWARD** Solicitation No. 2005-007 Paint and Painting

Representative Escobar was not present for the vote.

Award to: KWAL Paint, Inc.
Denver, Colorado
Item (s): #1 thru #22
Amount: \$30,000.00 (estimated annually)

Department: Facilities Maintenance
Funds available: 31010326-503200-01101
Funding source: Building Maintenance General Operating Funds
Total award: \$90,000.00 (estimated)

The Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor also offer the City a 2 % ten (10) days prompt payment discount.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **AWARD** Solicitation No. 2004-232 Proprietary Parts, Graco

Representative Escobar was not present for the vote.

Award to: Kwal Paint, Inc.
Denver, CO
Item (s): All
Amount: \$60,000.00

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Funds
Total award: \$60,000.00

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a twenty-four (24) month requirements-type Contract for a "Proprietary Parts, Graco".

Vendor offers the City the option of extending the term of the contract for Twelve (12) additional months utilizing the same pricing structure, if the option is exercised within One (1) Year from the date of award of the contract. Vendor offers a 2% discount if paid within 10 days.

The Contract will officially begin at 12:01 A.M., December 15, 2004.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **AWARD** Solicitation No. 2004-235 Cleaning Supplies, Millicare (Firm, Fixed-Price)

Representative Escobar was not present for the vote.

Award to: Facilities Connection, A HB/PZH Company
El Paso, Texas
Item (s): All
Amount: \$110,000.00

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Funds
Total award: \$110,000.00

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the sole responsive offer that was received.

This is a twenty-four (24) month requirements-type Contract for a "Cleaning Supplies, Millicare (Firm, Fixed-Price)".

Vendor offers the City the option of extending the term of the contract for Twenty-Four (24) additional months utilizing the same pricing structure, if the option is exercised within Two (2) Years from the date of award of the contract. No prompt payment discount is offered.

The Contract will officially begin at 12:01 A.M., December 15, 2004.

*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **AWARD** Solicitation No. 2005-040 Truck Tractor

Representative Escobar was not present for the vote.

Award to: Southwest Truck Sales
El Paso, Texas
Item (s): 1-One (1) Each with
Optional Items O2, O5, and O6
Amount: \$52,237.00

Department: El Paso Fire Department
Funds available: 22150024-508007-07164-G220405
Funding source: Homeland Security Grant
Total award: \$52,237.00

The Fleet Services, Fire, and Purchasing Departments recommend award as indicated as this vendor has provided the low, responsive, responsible bid meeting specifications.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Truck Tractor. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE Building Permit refund** to Rosa Maria Velasquez in the amount of \$165.00.

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE Building Permit refund** to CBA Enterprises (Carlos Austin) in the amount of \$1,167.20.

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE Building Permit refund** to P.F. Chang's China Bistro in the amount of \$450.00.

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of Martina Bustillos to block off the 500 block of Hernandez St. on December 11, 2004 from 9:00 a.m. to 5:00 p.m. for a block party (matachines). Approximately 100 persons will take part with no spectators anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices. PERMIT#: 04-164 [Martina Bustillos]

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of Sacred Heart Church to block off the 600 block of S. Oregon between 4th St. and Father Rahm on December 11, 2004 from 12:00 p.m. to 11:00 p.m. and December 12, 2004 7:00am to 11:00pm for a block party (matachines). Approximately 30 persons will participate with 100 spectators anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT#: 04-163 [Raphael Garcia, S.J.]

Representative Escobar was not present for the vote.

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Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A.** An Ordinance changing the zoning of Parcel 1: A portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to A-2 (Apartment); Parcel 2: A portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) and R-3 (Residential) to R-3A (Residential); Parcel 3: A portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial); and Parcel 4: A portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-3A (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: EP Land Acquisition, L.L.C. ZON04-00087
THIS IS AN APPEAL CASE.
- B.** An Ordinance changing the zoning of Lots 43 and 44, Block 18, Brentwood Heights, El Paso, El Paso County, Texas from R-5 (Residential) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Daniel and Sonia Gonzalez. ZON04-00130.

PUBLIC HEARING WILL BE HELD ON DECEMBER 28, 2004 FOR ITEMS A – B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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Motion made by Representative Lozano, seconded by Representative Cobos and unanimously carried to delete the discussion and action regarding the consideration of naming the new Northeast Animal Shelter the 'Andres Delgado Animal Center' as originally proclaimed on February 4, 1986 in honor of the man who helped create and maintain the original Humane Society Center in 1951, and, who, ultimately gave his life on March 9, 1964 while on the line of duty caring for the animals in El Paso.

Mayor Joe Wardy and Representatives Lozano, Rojas, and Cook commented.

Representative Austin, noted for the record, that, for the El Paso City-County Health and Environmental District Board's consideration, the trend now is to involve private foundations wanting to sponsor or contribute to the long-term endowment and maintenance of parks and vary public facilities.

Mr. Mark Everett, Public Health Administrator, commented.

NOTE: Item was revised.

Motion made by Representative Cook, seconded by Representative Lozano and unanimously carried to: **FIND AN INABILITY TO PAY, APPROVE THE REQUEST AND AUTHORIZE THE WAIVER OF THE FEES** of the 1320 Club of El Paso Texas to hold its 4th Annual Car Club Toy Run on December 11, 2004 from 10:30 a.m. to 1:00 p.m.,

Route: Start at 1225 Airway heading north to Montana, turning right on Montana and heading east to George Dieter, turning right on George Dieter and heading south to Pebble Hills, turning right on Pebble Hills and heading west and ending at the Pebble Hills Regional Command. Approximately 75 persons, 50 vehicles will take part and 20 spectators are anticipated. Request to waive fees for the necessary police traffic assistance. Signed affidavit submitted. PERMIT#: 04-162 [Jody L. Stice]

Mayor Joe Wardy and Representatives Cook, Cushing, Cobos, Ortega, Austin, and Rojas commented.

Mr. Tony Conde III, representing 1320 Club of El Paso Texas, commented.

The following City staff members commented:

1. Ms. Lisa A. Elizondo, City Attorney;
2. Ms. Lisa Hayes, Assistant City Attorney; and
3. Assistant Police Chief Paul Cross

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Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried to **POSTPONE THREE (3) WEEKS** public hearing to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26th, 2003. The owner of this property, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Representative Cobos commented.

Mr. Thomas Maguire, Building Permits and Inspections, commented.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **DELETE** a public hearing to determine if the property located at 11661 Norman Montion Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 25th, 2004. The owner of record as of March 23rd, 2004, Ida M. Poole, 11661 Norman Montion Drive, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Representative Escobar was not present for the vote.

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*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **POSTPONE ONE (1) WEEK** an Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by revising Chapter 2.30 (Building Board of Appeals), to incorporate the responsibilities of the Electrical Board of Appeals (Codified currently as Chapter 2.34), to incorporate the responsibilities of the Plumbing/HVAC Board (Codified currently as Chapter 2.32), and to make significant changes to the board.

Representative Escobar was not present for the vote.
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ORDINANCE 15955

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 (SCHEDULE XVII--RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS), OF THE EL PASO MUNICIPAL CODE, TO ADD ZONE J: NO PARKING ANYTIME, ON THE NORTH SIDE OF CROSBY AVENUE, FROM VIRGINIA STREET WEST TO THE ALLEY AND ON THE SOUTH SIDE OF CROSBY AVENUE BETWEEN VIRGINIA STREET AND OCHOA STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION--PENALTY) OF THE EL PASO MUNICIPAL CODE.**

Representative Cobos requested that the following addresses be excluded from the Ordinance language: 701, 705 and 709 Crosby.

Representative Austin commented.

The following City staff members commented:

1. Ms. Lourdes Cardenas, Engineering Department, Traffic Division; and
2. Ms. Terri Cullen-Garney, Deputy City Attorney, read the amended Ordinance language into the record.

The following members of the public spoke in favor of the Ordinance:

1. Ms. Jessie Williams; and
2. Mr. Andres Ulloa, provided to Representative Cobos a letter in favor of the Ordinance from Ms. Francelia Gutierrez (copy of the letter on file in the City Clerk's Office).

Mr. Luis Lujan, resident of 705 E. Crosby, requested that parking from the alley to Ochoa Street remain as it currently exists.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be **ADOPTED as amended**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

| | |
|---------|---|
| AYES: | Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos |
| NAYS: | None |
| Absent: | None |

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED as amended**.

ORDINANCE 15956

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING SECTIONS OF TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.12 (FOOD AND FOOD HANDLING ESTABLISHMENTS) OF THE EL PASO MUNICIPAL CODE. THE PENALTY FOR VIOLATION NOT TO EXCEED TWO-THOUSAND DOLLARS (\$2,000.00) PER DAY PER VIOLATION AS PROVIDED IN SECTION 9.12.890 OF THE EL PASO MUNICIPAL CODE.**

Mayor Joe Wardy and Representatives Lozano and Cook commented.

The following City staff members commented:

1. Mr. Mark Everett, Public Health Administrator;
2. Mr. David Sublasky, Program Manager, Environmental Food; and
3. Ms. Lisa Hayes, Assistant City Attorney.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cushing, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

| | |
|---------|---|
| AYES: | Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos |
| NAYS: | None |
| Absent: | None |

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 15957

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00124, TO ALLOW FOR A PUBLIC OR GOVERNMENTAL USE ON A PORTION OF TRACT 2G, EL SHAZO SURVEY 218, EL PASO, EL PASO COUNTY, TEXAS (110 MESA PARK DRIVE) PURSUANT TO SECTION 20.40.040. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended approval. He added that there was no opposition to the Special Permit request and answered questions from and responded to comments made by the Council Members.

Representatives Austin and Cobos commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Escobar, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

| | |
|---------|--|
| AYES: | Council Members Austin, Cook, Ortega, Escobar, Rojas and Cobos |
| NAYS: | None |
| Absent: | None |

Representatives Cushing and Lozano were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.
.....

ORDINANCE 15958

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00125, TO ALLOW FOR A PUBLIC OR GOVERNMENTAL USE ON LOT 75, BLOCK 41, VISTA REAL UNIT THREE, AMENDED SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS (3475 NOLAN RICHARDSON DRIVE) PURSUANT TO SECTION 20.14.040. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended approval. He added that there was no opposition to the Special Permit request and answered questions from and responded to comments made by the Council Members.

Representative Ortega commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Ortega, seconded by Representative Rojas, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

| | |
|---------|---|
| AYES: | Council Members Austin, Cushing, Cook, Ortega, Escobar, Rojas and Cobos |
| NAYS: | None |
| Absent: | None |

Representative Lozano was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
*Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **POSTPONE TWO (2) WEEKS** an Ordinance changing the zoning of portion of Lot 3, Block 46, Sun Ridge Unit 12, El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Peace Partners Car Wash, LLC. ZON04-00126

Representative Escobar was not present for the vote.

ORDINANCE 15959

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACT 17C60, 17C61, 17C23, 17C181, 17C182, 17C9, 17C1, AND 17C2, BLOCK 79, SECTION 8, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS; AND PARCEL 2: A PORTION OF TRACT 17C60, 17C61, 17C23, 17C181, 17C182, 17C9, 17C1, AND 17C2, BLOCK 79, SECTION 8, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-2 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

| | |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |
| Section 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS |

Discussion and action on the following:

Discussion, deliberation and action on economic development related negotiations with business prospects, and the possible offer of financial or other incentives to the business prospects.
(551.087)

Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council at 11:45 a.m.

Representative Escobar was not present for the vote.

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ADDITION TO THE AGENDA

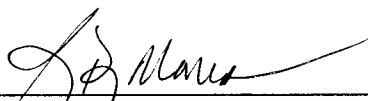
NO ACTION WAS TAKEN on the following executive session item:

Discussion, deliberation and action on economic development related negotiations with business prospects, and the possible offer of financial or other incentives to the business prospects. (551.087)

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **ADJOURN** this meeting at 11:46 a.m.

Representative Escobar was not present for the vote.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk